

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 4:04CR3045
)
 Plaintiff,)
)
 vs.) **MEMORANDUM
 AND ORDER**
)
 VICTOR HARRIS,)
)
 Defendant.)

Defendant's counsel has filed a motion for extension of time to file a notice of appeal ([filing 148](#)). I shall deny the motion as moot because the defendant's notice of appeal ([filing 149](#)) was timely filed. *See* Fed. R. App. P. 4(b) & 26.

IT IS ORDERED:

1. Defendant's motion for extension of time to file a notice of appeal ([filing 148](#)) is denied as moot, as the defendant's notice of appeal ([filing 149](#)) was timely filed;
2. The Clerk of the United States District Court for the District of Nebraska shall process this appeal.

September 16, 2008.

BY THE COURT:
s/ Richard G. Kopf
United States District Judge